

ARCHIVE,CLOSED

**U.S. District Court  
District Of Montana (Helena)  
CIVIL DOCKET FOR CASE #: 6:05-cv-00005-DWM-RKS**

Hendricks v. US Dept. of Justice  
Assigned to: Judge Donald W. Molloy  
Referred to: Magistrate Keith Strong  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 02/04/2005  
Date Terminated: 01/24/2007  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: Federal Question

**Plaintiff**

**Stephen Hendricks**  
*TERMINATED: 01/24/2007*

represented by **Jennifer S. Hendricks**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

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**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**United States Department of Justice**  
*TERMINATED: 01/24/2007*

represented by **George F. Darragh, Jr.**  
OFFICE OF THE U.S. ATTORNEY  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
02/04/2005	1	COMPLAINT – Original and copy (Summons issued) to: US Dept. of Justice (BAF) Modified on 02/07/2005 (Entered: 02/07/2005)
02/04/2005		SUMMONS issued as to US Dept. of Justice (o+2 iss'd and given to cnsl) (BAF) (Entered: 02/07/2005)
02/05/2005		FILING FEE PAID: on 2/4/05 in the amount of \$ 150., receipt # 35153. (BAF) (Entered: 02/09/2005)
02/23/2005	2	ORDER by Judge Donald W. Molloy Case referred to Judge Carolyn S. Ostby for all pretrial proceedings Judge Ostby will conduct all pretrial proceedings, all

		necessary hrs and submit findings of fact and recommendations for disposition of all motions except from Mag. Judge's jurisdiction. Any request to continue or vacate trial date, motions deadline, or date set for close of discovery set by scheduling order entered by Judge Ostby must be appvd by Judge Molloy. cc: Judge ostby, J. Hendricks (GAR) (Entered: 02/24/2005)
02/23/2005		CASE REFERRED to Magistrate Judge Carolyn S. Ostby. (GAR, ) (Entered: 05/11/2006)
02/24/2005		FILE DELIVERED to Clerk, Great Falls, for Judge Ostby (GAR) (Entered: 02/24/2005)
03/07/2005	3	ANSWER by defendant US Dept. of Justice complaint [1-1]-TO CSO Chambers (REW) (Entered: 03/07/2005)
03/09/2005	4	PRELIMINARY Pre-trial Conference Order by Judge Carolyn S. Ostby ; Preliminary Pretrial Conf set for 10:30 4/27/05 PPT Statement due: 4/18/05 Joint Discovery plan due: 4/18/05 (cc: all counsel) (LJM) (Entered: 03/10/2005)
04/18/2005	5	Report by Stephen Hendricks of parties joint planning meeting. (0+1 to GF for file and Judge Ostby) (BAF) (Entered: 04/18/2005)
04/18/2005	6	PRELIMINARY PRETRIAL STATEMENT by plaintiff (0+1 to GF for file) (BAF) (Entered: 04/18/2005)
04/18/2005	7	PRELIMINARY PRETRIAL STATEMENT by defendant US Dept. of Justice (REW) (Entered: 04/19/2005)
04/22/2005	8	MOTION by Stephen Hendricks for partial summary judgment (0+1 to GF) (BAF) (Entered: 04/22/2005)
04/22/2005	9	STATEMENT of uncontroverted facts by Stephen Hendricks (0+1 to GF) (BAF) (Entered: 04/22/2005)
04/22/2005	10	First AFFIDAVIT of Stephen Hendricks (0+1 to GF) (BAF) (Entered: 04/22/2005)
04/28/2005	11	ORDER by Judge Carolyn S. Ostby regarding [8-1] ; L.R.7 will govern brfg sched for MPSJ. Preliminary Pretrial Conference held on 4/27/05 . Any motions to stay shall be filed by 5/20/05. (cc: all counsel) (LJM) (Entered: 04/28/2005)
05/16/2005	12	MOTION by defendant US Dept. of Justice to extend to Ex time until May 20, 05 for deft to file resp to Pltf's Mtn Part SJ and Mtn to Stay Proceedings (REW) (Entered: 05/16/2005)
05/16/2005		PROPOSED lodged Order ext time to 5/20/05 to file resp to Pltf's Mtn SJ submitted by defendant US Dept. of Justice-TO CSO (REW) (Entered: 05/16/2005)
05/19/2005	13	ORDER by Judge Carolyn S. Ostby granting motion to extend to Ex time until May 20, 05 for deft to file resp to Pltf's Mtn Part SJ and Mtn to Stay Proceedings [12-1], regarding [8-1] (cc: all counsel) (LJM) (Entered: 05/19/2005)
05/20/2005	14	MOTION by defendant US Dept. of Justice for open America stay (LJM) (Entered: 05/23/2005)
05/20/2005	15	MEMORANDUM/BRIEF by defendant US Dept. of Justice in support of motion for open America stay [14-1] (LJM) (Entered: 05/23/2005)
05/20/2005	16	STATEMENT of genuine issues by defendant US Dept. of Justice in support of [14-1] (LJM) (Entered: 05/23/2005)
05/20/2005	17	MOTION by defendant US Dept. of Justice for order to seal In-Camera Declaration of David M. Hardy (LJM) (Entered: 05/23/2005)
05/20/2005		PROPOSED Order re #17 submitted by defendant US Dept. of Justice.....to CSO w/ file. (LJM) (Entered: 05/23/2005)
05/27/2005	18	ORDER by Judge Carolyn S. Ostby denying motion for order to seal In-Camera Declaration of David M. Hardy [17-1], w/ leave to renew. Should DOJ renew its motion, it shall searve motion and supporting brf upon opposing party, but may file

		under seal the doc that is subj of renewed motion. Docs submitted under seal that are subj of the M for Seal be returned immediately.. (cc: all counsel) (LJM) (Entered: 05/27/2005)
06/03/2005	19	MEMORANDUM/BRIEF by Stephen Hendricks in oppositn to motion for stay [14-1], in support of motion for partial summary judgment [8-1] (0+1 to GF for file) (BAF) (Entered: 06/03/2005)
06/17/2005	20	REPLY by defendant US Dept. of Justice to response to motion for open America stay [14-1] (LJM) (Entered: 06/20/2005)
06/21/2005	21	MINUTES: that the Deft'sn motion for open America stay [14-1] is submitted before Judge Carolyn S. Ostby (REW) (Entered: 06/21/2005)
07/25/2005	22	NOTICE by plaintiff Stephen Hendricks of Change of Address of cnsl Jennifer S. Hendricks (Orig to Clerk, Great Falls, for file, copy to Judge Ostby and Atty Maint Clerk-T.O.) (GAR) (Entered: 07/25/2005)
08/18/2005	23	FINDINGS AND RECOMMENDATION by Judge Carolyn S. Ostby Granting US Dept of Justice motion for open America stay [14-1], The matter is stayed until Sept 30, 05 by which date the FBI is directed to respond to Hendricks' requests, and to report to the Court, in writing w/respect to its compliance w/this Order. That Henricks' motion for partial summary judgment [8-1] IS DENIED. Objections to F/R due date: 09/01/05 (cc: all counsel) (REW) (Entered: 08/24/2005)
08/26/2005	24	MINUTES: that Judge Ostby's findings and recommendations motion FINDINGS AND RECOMMENDATION [23-1] is submitted, that the motion for open America stay [14-1] is submitted, that the motion for partial summary judgment [8-1] is submitted before Judge Donald W. Molloy C/R: (REW) (Entered: 08/26/2005)
09/30/2005	25	STATUS REPORT by defendant US Dept. of Justice-File to Judge Ostby (REW) (Entered: 10/04/2005)
02/03/2006	<u>26</u>	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS . Signed by Judge Donald W. Molloy on 2/6/2006. (BAF, ) Modified on 2/6/2006 to change filing date(BAF, ). (Entered: 02/06/2006)
02/03/2006	<u>27</u>	ORDER denying as moot 8 Motion for Partial Summary Judgment . Signed by Judge Donald W. Molloy on 2/3/2006. (BAF, ) (Entered: 02/06/2006)
05/02/2006	<u>28</u>	ORDER for joint status report due on or before May 19, 2006. Signed by Judge Carolyn S. Ostby on 5/2/2006. (JEC) (Entered: 05/02/2006)
05/02/2006		Set Deadlines/Hearings: Joint Status Report due by 5/19/2006. (JEC) (Entered: 05/02/2006)
05/18/2006	<u>29</u>	STATUS REPORT ( <i>Joint</i> ) by Stephen Hendricks, United States Department of Justice. (Darragh, George) (Entered: 05/18/2006)
05/19/2006	<u>30</u>	SCHEDULING ORDER: 5/26/06 Pltf will identify which documents released in part can be "off the table; 6/2/06 Parties will agree on the composition of representative sample of documents to be subject of descriptive Vaughn index; 12/29/06 Dft will provide Vaughn index of rep sample to Pltf; 1/16/07 Pltf will notify Dft if additional documents can be taken "off the table"; 4/16/07 Dft will file a motion for summary judgment. Briefing will proceed in accordance with the local rules. Defendant's Motion for Summary Judgment is due by 4/16/2007.. Signed by Judge Carolyn S. Ostby on 5/19/2006. (GAR, ) (Entered: 05/19/2006)
12/27/2006	<u>31</u>	STATUS REPORT by United States Department of Justice. (Darragh, George) (Entered: 12/27/2006)
01/08/2007	<u>32</u>	STANDING ORDER DWM NO. 48. regarding case assignment. Signed by Judge Donald W. Molloy on 1/8/2007. (BAF, ) Modified on 1/9/2007 to reflect cpy of order to Hendricks.(BAF, ). (Entered: 01/09/2007)
01/09/2007	<u>33</u>	Mailing of Consent to USMJ. Mailed to counsel George F. Darragh, Jr, (electronically), Jennifer S. Hendricks, and Peter M. Meloy (electronically).Consent/Objection to USMJ Form due by 2/13/2007. (ded, )

		Modified on 1/10/2007 to remove judge's name(ded, ). (Entered: 01/09/2007)
01/23/2007	<u>34</u>	STIPULATION of Dismissal by United States Department of Justice. (Attachments: # <u>1</u> Text of Proposed Order)(Darragh, George) (Entered: 01/23/2007)
01/23/2007		NOTICE REGARDING ELECTRONIC SIGNATURE/DATE: re <u>34</u> Stipulation of Dismissal. The signature on this document does not comply with L.R. 11.1 (b) and section I(i) of the ECF Administrative Procedures Manual, or the document is not dated. This notice is for your information for future filings. THIS IS A TEXT ONLY ENTRY. A PDF DOCUMENT IS NOT ATTACHED TO THIS ENTRY. Counsel Hendricks called and an amended document to be filed. (BAF, ) (Entered: 01/25/2007)
01/24/2007	<u>36</u>	ORDER DISMISSING CASE, Attorney Peter M. Meloy; George F. Darragh, Jr and Jennifer S. Hendricks terminated., Stephen Hendricks and United States Department of Justice terminated.. Signed by Judge Donald W. Molloy on 1/24/2007. (ded, ) Modified on 1/25/2007 to indicate copy of order mailed to all parties and counsel (ded, ). (Entered: 01/25/2007)
01/25/2007	<u>35</u>	THIS DOCUMENT FILED TO CORRECT DOCUMENT <u>34</u> . STIPULATION of Dismissal by Stephen Hendricks. (Attachments: # <u>1</u> Exhibit Scanned stipulation with physical signatures# <u>2</u> Text of Proposed Order)(Hendricks, Jennifer) Modified on 1/25/2007 to indicate document filed to correct doc 34(BAF, ). (Entered: 01/25/2007)
01/29/2007	<u>37</u>	CONSENTS TO USMJ. (ded, ) (Entered: 01/29/2007)
08/24/2009		ARCHIVE CASE INFORMATION FROM FRC DENVER, CO, 13 of 17 Box Number, 021-09-4507 FRC Accession Number (HEG, ) (Entered: 09/08/2009)